

TOWN OF POLK
Plan Commission Minutes
June 2, 2009
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I. Call Meeting to Order - The meeting of the Plan Commission of the Town of Polk was called to order by Chairman Albert Schulteis immediately following the public hearing.

A. Official Meeting Notice - Chairman Schulteis reported that the notice of the meeting was sent to the West Bend Daily News, the Hartford Times Press, WBKV, WTKM, Milwaukee Journal Sentinel and posted at the Town Hall, Highway View School, Cedar Hills bulletin boards, and also posted on the Town of Polk website.

B. Roll Call - Members present: Chairman Albert Schulteis, Willard Heppe, Karen Reiter, Mark Peters, Robert Roecker, Supervisor Theodore Merten, guest Supervisor Harold Groth and Judy Stephenson, Zoning Secretary. Marvin Kissinger was excused absence.

C. Approval of minutes for May 5, 2009 - Motion made by Karen Reiter to approve the May 5, 2009 minutes with correction of Chairman's name. Motion seconded by Robert Roecker. All voted in favor and motion carried.

II. Unfinished Business - none

III. New Business - Discussion/Possible Action on the Following:

A. Ordinance amending Title X of the Town Code, Zoning Ordinance creating Section 4.08 relating to Outdoor Accessory Energy Systems as a Conditional Use.

Discussion was held. Willard Heppe stated that the requirement for a plat of survey for the property should be removed and replaced with a requirement for a site plan or detailed drawing showing the distance from all buildings to the proposed energy system and distance to all property lines. He further stated that having a survey done could be very expensive for properties that did not already have surveys.

Motion made by Karen Reiter and seconded by Willard Heppe to recommend approval of Ordinance 09-03 to the Town Board with changes eliminating the plat of survey requirement and replacing it with requiring a site plan or detailed drawing showing the distance from all buildings of the proposed energy system and distance to all property lines. All voted in favor and the motion passed.

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B. Ordinance amending Title X of the Town Code, Zoning Ordinance, Section 13.02 (26 A) and create Section 13.02 (10A), and 13.02 (10B) relating to definition of a Livestock Unit, Domestic Animal Pet and Domestic Animal Unit.

Discussion was held. Robert Roecker stated that a definition of exotic animal is needed. Judy Stephenson stated that the Town Code of Ordinances contains a definition. Mr. Roecker stated that the reference to the Code section should be included. Mark Peters stated that all the animal unit definitions should be listed together one after the other as subsections one, two and three in definitions so people do not have to hunt around for them. Mr. Peters also stated that reference to domestic farm animals used or raised for profit should not state "on more than 15 acres." and should state that animal unit numbers are to be determined in accordance with DNR regulations. He further stated that all other State and Federal regulations regarding livestock shall be followed.

Motion made by Karen Reiter and seconded by Mark Peters to recommend approval of Ordinance 09-04 to the Town Board with changes. All voted in favor and the motion carried.

C. Ordinance amending Title X of the Town Code, Zoning Ordinance, Section 2.05 relating to Use Restrictions regarding Domestic Animals.

Mark Peters stated that the words "as defined in Section 13.02 " should be inserted in the fourth line after "said acreage". Discussion was held.

Motion made by Mark Peters and seconded by Robert Roecker to recommend approval of the Ordinance 09-05 to the Town Board with the change of inserting "as defined in Section 13.02" after the words "said acreage". All voted in favor and the motion carried.

D. Ordinance repealing and recreating Chapter 19 of the Code of Ordinances relating to Erosion Control and Stormwater Management.

Scott Schmidt, Washington County Engineer/Surveyor stated that because the Town adopted the County Ordinance in 1998 (and deferring administration of it to Washington County Land and Water Conservation Division of the Planning and Parks Dept.) and the County as now updated the County Code, the Town must also update the Town Code - it is a matter of housekeeping. He further stated that the other options for the Town would be to repeal the Town Ordinance and have only the Washington County Ordinance with the Washington County Planning and Parks Department administering it or for the Town to administer its own Ordinance using its own staff or contacts with private consultant for administration.

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Karen Reiter stated that the Intergovernmental Agreement between the Town of Polk and Washington County indicates that subdivision concept plans and subdivision preliminary plats are reviewed by the County; she asked if the Erosion Control and Stormwater Management also affected someone who just wants to build a house. Scott Schmidt stated that the Building Inspector does the erosion control monitoring for a house; the County does not get involved in it unless requested to by the Building Inspector. He further stated that if a person disturbs more than 4,000 sq. ft. of surface or has 20,000 sq. ft. or more of hard surface then a permit is required for erosion control/stormwater management. He further stated that excavation and/or filling in excess of 400 cu. yds. of land surface also triggers need for a permit. Mr. Schmidt stated that they rely on John Frey, Town of Polk Building Inspector, to let them know what may be going on in the Town that might require a review. He further stated that people may report that their neighbors actions could be in violation or may require review.

Discussion was held.

Motion made by Mark Peters and seconded by Robert Roecker to recommend approval to the Town Board of the Ordinance repealing and recreating Chapter 19 of the Town Code of Ordinances relating to Erosion Control and Stormwater Management - (option 2). All voted in favor and the motion carried.

E. Town of Polk Multi-Jurisdictional Comprehensive Plan

Discussion was held. Plan Commission members will list the corrections to be made and turn them in to the Zoning Secretary so she can include them along with the minutes for next months meeting. It was also recommended that as a paper saving measure, that SEWRPC be asked to reprint only the pages that were corrected and not reprint the whole Plan.

Motion made by Mark Peters and seconded by Robert Roecker to recommend to the Town Board that the review of the corrected Plan be tabled until the July meeting so the members would have more time to review the Plan. All voted in favor and the motion carried.

D. Zoning Violations - Judy Stephenson stated that a property owner on Hwy C was issued a citation with regards to scrap metal and refuse stored outside. She further stated that the Town does not receive any money from the citations; the money goes to Washington County for court costs, jails, etc. Discussion was held

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IV. Other Business

- A. Correspondence - none
- B. Informational items - none
- C. Board of Appeals - none
- D. Building Inspector's Report - none

V. Adjournment - Motion made by Mark Peters and seconded by Karen Reiter to adjourn. All voted in favor and the meeting was adjourned at 8:30 p.m.

Respectfully Submitted,

Judy Stephenson
Zoning Secretary